

# EXHIBIT G

**From:** [Ron Berutti](#)  
**To:** [Roshan Shah](#)  
**Cc:** [Matthew.Lynch@law.njoag.gov](#); [Helana Farley](#); [dpirozzoli@yahoo.com](#)  
**Subject:** RE: Doe v. Delaware Valley Regional High School  
**Date:** Monday, May 20, 2024 2:20:46 PM

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You're entitled to your position. I'm entitled to disagree. Let's move forward. Please forward me the revised subpoenas prior to sending them out for service so as to avoid potential problems.

Thank you.

Ronald A. Berutti

**Murray-Nolan Berutti LLC**

136 Central Avenue

Second Floor

Clark, New Jersey 07066

908-588-2111

[Ron@MNBlawfirm.com](mailto:Ron@MNBlawfirm.com)

Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

**New York:**

30 Wall Street

8th Floor

New York, New York 10005-2205

212-575-8500

*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Monday, May 20 2024 2:12 PM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)

Subject: RE: Doe v. Delaware Valley Regional High School

Not at this time. But I'm not waiving any right to require a privilege log when someone asserts a



claim of privilege. Nor am I waiving the right to pursue the information requested at a later time.

But right now, I want to get past this issue, so we can get to scheduling depositions. I think in light of the disclosure you made last week about the declaration, depositions are absolutely essential.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Monday, May 20, 2024 2:02 PM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Helana Farley <[helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)>

**Subject:** Re: Doe v. Delaware Valley Regional High School

Are you intending to write to the Court still about the privilege log? If so then we have no compromise.

Ronald A. Berutti

MURRAY-NOLAN BERUTTI LLC

136 Central Avenue

Second Floor

Clark, New Jersey 07066

(908) 588-2111

[www.murray-nolanberutti.com](http://www.murray-nolanberutti.com)

New York:

30 Wall Street, 8th Floor

New York, NY 10005-2205

(212) 575-8500

(Please respond to NJ Office)

Sent from my iPhone. Kindly excuse any typo caused by my finger.

On May 20, 2024, at 1:59 PM, Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)> wrote:

We'll agree to re-serve it without the disputed requests. I'll send it out for service today, it may not happen before noon tomorrow, but if that offends you, you can write to the court separately.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Monday, May 20, 2024 1:56 PM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Helana Farley <[helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)>

**Subject:** Re: Doe v. Delaware Valley Regional High School

So are you agreeing to my proposed compromise? Of course, we do not agree to depositions at this time.

Ronald A. Berutti

MURRAY-NOLAN BERUTTI LLC

136 Central Avenue

Second Floor

Clark, New Jersey 07066

(908) 588-2111

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New York:

30 Wall Street, 8th Floor

New York, NY 10005-2205

(212) 575-8500

(Please respond to NJ Office)

Sent from my iPhone. Kindly excuse any typo caused by my finger.

On May 20, 2024, at 1:53 PM, Roshan Shah  
<[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)> wrote:

Ron,

I'm not going to delay this, I want to get to the deposition phase. Ok,  
we'll re-serve it.

---

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Monday, May 20, 2024 1:40 PM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Helana Farley  
<[helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)>; [dpirozzoli@yahoo.com](mailto:dpirozzoli@yahoo.com)

**Subject:** RE: Doe v. Delaware Valley Regional High School

I said I would agree to it as a compromise. Your demand for a privilege log is not a compromise. Likewise, your assertion that you are withdrawing "without prejudice" fails to recognize that your subpoena exceeded the scope of the Order. While you may wish to consider such withdrawal to be "without prejudice," in no way do we agree that you have any right to subpoena such information under the Order, meaning that the withdrawal is a withdrawal with prejudice.

Regarding service, I have no authority to agree that your revised

subpoena does not need to be properly served. It would be up to you to deal with the third parties in such regard. Thus, I will make this final offer to you:

1. Re-serve the subpoenas with a modified Exhibit A that is limited to medical records and credentials, together with a letter providing that the prior subpoena is withdrawn.
2. The subpoenas must be served no later than tomorrow before Noon so that there are no more delays.
3. No other qualifications to the withdrawal shall be made and you can reserve your right to attempt to obtain such information in the future with permission of the Court.

Thank you.

Ronald A. Berutti

**Murray-Nolan Berutti LLC**

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Second Floor

Clark, New Jersey 07066

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**New York:**

30 Wall Street

8th Floor

New York, New York 10005-2205

212-575-8500

*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Monday, May 20 2024 1:33 PM

To:

Cc:

Matthew.Lynch@law.njoag.gov; helana@mnblawfirm.com; dpirozzoli@yahoo.com

Subject: RE: Doe v. Delaware Valley Regional High School

Just so I'm clear: because we demand a compliant privilege log, you are now going to take the position that we can't seek information about credentials? Is that what you're saying? Because an hour ago, you agreed that we could seek it.

These issues were raised, they're relevant and discoverable. I reiterate that you put this in issue by submitting certifications, one of which we now know is faulty in terms of the information contained therein.

We can do one letter, but I'm still going to serve the revised Exhibit A. I want to move the case along.

**From:** Ron Berutti <ron@mnblawfirm.com>

**Sent:** Monday, May 20, 2024 1:29 PM

**To:** Roshan Shah <RShah@andersonshahlaw.com>

**Cc:** Matthew.Lynch@law.njoag.gov; Helana Farley  
<helana@mnblawfirm.com>; dpirozzoli@yahoo.com

**Subject:** RE: Doe v. Delaware Valley Regional High School

Let's draft a joint letter to the Court and handle this in one communication. I am concerned that your serving only a new Schedule A will create confusion. The subpoena was far overbroad and I do not want this to turn into a contest over collateral issues. The Order is the Order. Your expanding on the information you sought is beyond the Order. You say it is not. The Court can decide. But frankly, if you wanted this information then in good faith I believe that you were obligated to discuss it with the Court during our phone conference. Moreover, if you wanted the information regarding credentials, you were obligated to include it in the proposed Order. Given that you are unwilling to drop the demand for a privilege log, I am not going to drop our position that you are only entitled to what you are only entitled to the medicals per the Order that you drafted.

Ronald A. Berutti

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136 Central Avenue

Second Floor

Clark, New Jersey 07066

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Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

**New York:**

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New York, New York 10005-2205

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Monday, May 20 2024 1:20 PM

To: [ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)

Cc:

[Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [helana@mnblawfirm.com](mailto:helana@mnblawfirm.com), [dpirozzoli@yahoo.com](mailto:dpirozzoli@yahoo.com)

Subject: RE: Doe v. Delaware Valley Regional High School

We're not serving a new subpoena, we'll send the providers a revised exhibit A and state we're withdrawing the disputed requests without prejudice.

I don't agree re: privilege log. But since both of us want to move things along, I'll write a separate letter to the court seeking to compel the disputed communications. The court can deal with that separately.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Monday, May 20, 2024 1:12 PM



**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>  
**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Helana Farley  
<[helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)>; [dpirozzoli@yahoo.com](mailto:dpirozzoli@yahoo.com)  
**Subject:** Re: Doe v. Delaware Valley Regional High School

Roshan,

Please provide a new subpoena for my review. We are under no obligation to provide you with a privilege log.

Thank you.

Ronald A. Berutti  
MURRAY-NOLAN BERUTTI LLC  
136 Central Avenue  
Second Floor  
Clark, New Jersey 07066  
(908) 588-2111  
[www.murray-nolanberutti.com](http://www.murray-nolanberutti.com)

New York:  
30 Wall Street, 8th Floor  
New York, NY 10005-2205  
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On May 20, 2024, at 12:18 PM, Roshan Shah  
<[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)> wrote:

Ron,

The case you supplied isn't even close. That case dealt with a *non-testifying* consultant expert. These are fact witnesses, which is what you represented to the court and to us. There is no basis for you to assert a work product privilege for communications with fact witnesses, as fact witnesses are available to both parties.

Nonetheless, we'll agree to voluntarily withdraw just that portion of the subpoena without prejudice. However, please note this as our request for a privilege log. Thanks.

1. Roshan

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**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>  
**Sent:** Monday, May 20, 2024 12:06 PM  
**To:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Roshan Shah  
<[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>  
**Cc:** Helana Farley <[helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)>;  
[dpirozzoli@yahoo.com](mailto:dpirozzoli@yahoo.com)  
**Subject:** RE: Doe v. Delaware Valley Regional High School

Matthew,

As noted, while I would have no objection to asking for such things in light of the conference call, nobody saw fit to include it in the proposed Order. I see this entire process at this point as being a great delay tactic of an emergent matter. If the parties can agree today to limit the subpoenas to the actual records and the credentials, I will consent and we can move forward. Otherwise, I will oppose all and will seek sanctions.

Thank you.

Ronald A. Berutti

**Murray-Nolan Berutti LLC**

136 Central Avenue

Second Floor

Clark, New Jersey 07066

908-588-2111

[Ron@MNBlawfirm.com](mailto:Ron@MNBlawfirm.com)

Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

**New York:**

30 Wall Street

8th Floor

New York, New York 10005-2205

212-575-8500

*Please reply to New Jersey*

-----Original message-----

From: "Matthew Lynch"

[[Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov)]

Sent: Monday, May 20 2024 11:22 AM

To: [RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)

Cc: [helana@mnblawfirm.com](mailto:helana@mnblawfirm.com), [dpirozzoli@yahoo.com](mailto:dpirozzoli@yahoo.com)

Subject: RE: Doe v. Delaware Valley Regional High School

Hi Ron, I didn't draft the subpoenas, so I'll let Roshan address the remainder of what you have raised below. But in terms of requesting records of Ms. Pirozzoli's licensing/credentials, Judge Day expressly listed that as a specific area of inquiry for us to seek discovery on during our conference call. Thus, I am confident that he would/will permit us to seek those records.

Matthew Lynch

Deputy Attorney General  
Assistant Section Chief  
Education and Higher Education  
Division of Law  
R.J. Hughes Justice Complex  
25 Market Street, P.O. Box 112  
Trenton, New Jersey 08625-0112  
(609) 376-3100  
[Matthew.lynch@law.njoag.gov](mailto:Matthew.lynch@law.njoag.gov)

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>  
**Sent:** Monday, May 20, 2024 9:05 AM  
**To:** [rshah@andersonshahlaw.com](mailto:rshah@andersonshahlaw.com); Matthew Lynch  
<[Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov)>  
**Cc:** Helana Farley <[helana@mnblawfirm.com](mailto:helana@mnblawfirm.com)>;  
[dpirozzoli@yahoo.com](mailto:dpirozzoli@yahoo.com)  
**Subject:** [EXTERNAL] Doe v. Delaware Valley  
Regional High School

Gentlemen,

I have reviewed the subpoenas you served. They exceed the scope of the Order by requesting drafts of my Declaration and my communications with the providers. Such communications are protected by the Work Product Doctrine and were not included within the Order. Likewise, although it was discussed with the Court, the proposed Order you submitted which was signed by the Judge did not require submission by the providers of their credentials. While I would have no objection to your seeking the same, it seems to me that you waived the opportunity of do so by failing to include it as an item in the Order submitted to the Court. I am copying Ms. Pirozzoli to ensure that she is on notice of our position. I have never communicated directly with Jane Doe's pediatric office and do not have their direct contact information, to the best of my knowledge. That said, the same goes for them. If necessary, I will move to

quash the subpoenas. However, I respectfully request that you withdraw the same and reissue subpoenas that comply with the Court's Order. Please advise me today.

Thank you.

Ronald A. Berutti

**Murray-Nolan Berutti LLC**

136 Central Avenue

Second Floor

Clark, New Jersey 07066

908-588-2111

[Ron@MNBlawfirm.com](mailto:Ron@MNBlawfirm.com)

Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

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New York, New York 10005-2205

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